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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SAMUEL LEE CLAY,

14 Defendant.
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Case No. 2:06-CR-00056-KJD-PAL

ORDER

16 Before the Court for consideration is the Report of Findings and Recommendation (#26) of
17 Magistrate Judge Peggy A. Leen entered September 28, 2006, recommending that Defendant's
18 Motion to Suppress (#19) be denied. Objections (#34) to the Magistrate Judge's Report and
19 Recommendation were filed by Defendant SAMUEL LEE CLAY pursuant to Local Rule IB 3-2 of
20 the Local Rules of Practice of the United States District Court of the District of Nevada. The
21 Government filed a response in opposition (#36) to the objections.

22 The Court has conducted a *de novo* review of the record in this case in accordance with 28
23 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation
24 (#261) of the United States Magistrate Judge entered September 28, 2006, should be **ADOPTED** and
25 **AFFIRMED**. Having read and considered Defendant's arguments and the transcript of the
26 evidentiary hearing, the Court finds that the officers had specific, articulable facts from which they

1 could conclude that a reasonable suspicion existed that Clay was violating state traffic laws.
2 Therefore, the traffic stop leading to Clay's detention, arrest, and the discovery of the evidence in
3 question did not violate his rights under the Fourth Amendment.

4 IT IS THEREFORE ORDERED that the Magistrate Judge's Report of Findings and
5 Recommendations (#26) entered September 28, 2006, are **ADOPTED** and **AFFIRMED**, and
6 Defendant's Motion to Suppress (#19) is **DENIED**.

7 DATED this 3RD day of January 2007.
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11 Kent J. Dawson
12 United States District Judge
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